

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

DEVIN RICHARDSON,	:	
	:	
Plaintiff	:	CIVIL ACTION NO. 4:20-110
	:	
v.	:	(MANNION, D.J.)
	:	(ARBUCKLE, M.J.)
	:	
DR. L. MURRAY,	:	
	:	
Defendant	:	

**ORDER**

In accordance with this court's Memorandum issued this same day, **IT IS HEREBY ORDERED THAT:**

1. The August 2, 2022 report of Judge Arbuckle, **(Doc. 31)**, is **ADOPTED IN ITS ENTIRETY.**
2. The plaintiff's complaint, **(Doc. 1)**, will **PROCEED** with respect to his RFRA claim against defendant Dr. Murray.
3. The objection of the defendant to the Report, **(Doc. 34)**, is **OVERRULED.**
4. The government's motion to dismiss, **(Doc. 17)**, is **DISMISSED AS MOOT.**

5. Defendant Dr. Murray's motion for summary judgment, **(Doc. 24)**, is **DENIED**, without prejudice to assert the qualified immunity defense.

6. The Clerk of Court is directed to **REMAND THIS CASE** to Judge Arbuckle for purposes of issuing a new Report and Recommendation regarding Dr. Murray's qualified immunity defense after briefing of this issue by the parties.

*s/ Malachy E. Mannion*  
**MALACHY E. MANNION**  
**United States District Judge**

**DATE: September 29, 2022**

20-110-02-Order